

# PATENT COOPERATION TREATY

**PCT** 

EC'D 2 3 NOV 2004
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#### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference				FOR FURTHER AC		ation of Transmittal of International Examination Report (Form PCT/IPEA/416)
International application No. PCT/EP 03/10801				International filing date (c	lay/month/year)	Priority date (day/month/year) 11.10.2002
Interr G11	nationa B27/0	Pate		oth national classification a	nd IPC	
Appli		N LI	CENSING S.A. ET A	L.		
1.	<ol> <li>This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</li> </ol>					
2.	This REPORT consists of a total of 4 sheets, including this cover sheet.					
	This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).					
	Thes	e anı	nexes consist of a total	of 2 sheets.		
3.	This	repoi	rt contains indications r	elating to the following ite	ems:	
	1	$\boxtimes$	Basis of the opinion			
	11		Priority			
	Ш		<del>-</del>	f opinion with regard to n	ovelty, inventive st	ep and industrial applicability
	IV		Lack of unity of inven	•	• .	
	V  Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement				y, inventive step or industrial applicability;	
	VI		Certain documents c	ited		
	VII		Certain defects in the	e international application	1	
	VIII		Certain observations	on the international appl	ication .	
Date	Date of submission of the demand				Date of completion	of this report
15.	04.20	04			26.11.2004	
		exam	g address of the internation		Authorized Officer	editions Palantage
European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016					Mourik, J Telephone No. +31	70 340-4243

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

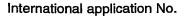
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I.	<b>Basis</b>	of the	report
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1. With regard to the **elements** of the international application (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)):

	Des	scription, Pages			
	1-1	1	as originally filed		
	Cla	ims, Numbers			
	1-7		received on 07.09.2004 with letter of 02.09.2004		
	Dra	wings, Sheets			
	1/1		as originally filed		
<ol><li>With regard to the language, all the elements marked above were available or furnished to this Authori language in which the international application was filed, unless otherwise indicated under this item.</li></ol>					
	The	ese elements were av	ailable or furnished to this Authority in the following language: , which is:		
		the language of a tra	anslation furnished for the purposes of the international search (under Rule 23.1(b)).		
		the language of publ	lication of the international application (under Rule 48.3(b)).		
		the language of a tra Rule 55.2 and/or 55.	anslation furnished for the purposes of international preliminary examination (under 3).		
3.	With inte	h regard to any <b>nucle</b> mational preliminary	ectide and/or amino acid sequence disclosed in the international application, the examination was carried out on the basis of the sequence listing:		
		contained in the inte	rnational application in written form.		
		filed together with th	e international application in computer readable form.		
		furnished subsequer	ntly to this Authority in written form.		
		furnished subsequer	ntly to this Authority in computer readable form.		
		The statement that t in the international a	he subsequently furnished written sequence listing does not go beyond the disclosure pplication as filed has been furnished.		
		The statement that t listing has been furn	he information recorded in computer readable form is identical to the written sequence ished.		
4.	The	amendments have r	esulted in the cancellation of:		
		the description,	pages:		
		the claims,	Nos.:		
		the drawings,	sheets:		

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5. □	This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).					
	(Any replacement cheet containing such amendments must be referred to under item 1 and annound to					

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

- 6. Additional observations, if necessary:
- V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- 1. Statement

Novelty (N) Yes: Claims 1-7

No: Claims

Inventive step (IS) Yes: Claims

No: Claims 1-7

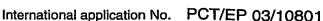
Industrial applicability (IA) Yes: Claims 1-7

No: Claims

2. Citations and explanations

see separate sheet





#### Regarding point V

**D1:** EP-A-1103974

The subject-matter defined in claims 1-7 lacks an inventive step in the sense of Article 33(3) PCT.

D1 addresses the problem of synchronizing a further stream (sections [0050], [0051], fig.12: "aux data path") to a pre-recorded multiplex of data streams. To solve this problem, D1 prescribes a navigation file ("PlayList") to accompany an MPEG-2 transport stream, the navigation file comprising descriptors ("PlayItems"), and the navigation file achieving synchronization of both overlapping and time-sequential streams, i.e. main and auxiliary data streams.

Independent claims 1,7 differ from D1 in that they define *multiple* further streams ("multiple substream paths [...] being located out of said basic AV MPEG-2 transport stream") rather than a single further stream as in D1. However, the skilled person will consider the problem of how to extend the method of D1 for multiple further streams and he will consider the solution of extending the navigation file of D1, thereby arriving at the subject-matter of claims 1,7.

Hence, the subject-matter of claims 1,7 is obvious in view of D1.

For the same reasons, mutatis mutandis, the corresponding apparatus according to claim 6 lacks an inventive step in the sense of Article 33(3) PCT.

The remaining dependent claims add minor limiting features to the method of claim 1, all of which in so far as they are not explicitly disclosed in D1, relate to routine measures normally to be expected of the skilled person. Thus these claims also lack an inventive step in the sense of Article 33(3) PCT.

It is noted that the Blu-ray disc format, on which the only embodiment of the invention is based, is not available to the public.